



**Assistance** 

Investigations

Inspections

**Teaching** 

COMPANY COMMANDER &
AND
FIRST SERGEANT T.

**Training** 



The Inspector General simultaneously acts as a fair and objective fact-finder, problem solver, and as a confidential advisor to the Commanding General. The Inspector General serves as an extension of the Commander's eyes, ears, voice, and conscience.

#### The IG's Authority

- Comes from the Commanding General
- No directive authority outside of IG system
- Does not establish command policy
  - Except for AR 1-201 and 20-ACOMMANDER
- Authorized access to all needed materials and records consistent with their security clearance

A Delicate Balance but.



# 19TH Theater Support Command Inspector General IG Sphere of Activity

- Includes everything for which the IG's commander is responsible and geographical area assistance
- Jurisdiction:

19th TSC IG:

Area III and Area IV

All 19th TSC Units in the ROK

Eight Army IG: Area II

2d Infantry Division IG: Area I

- Highest level IG (EAIG) assumes responsibility for jurisdictional issues
- Operates within Command and IG Channels





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# 19TH Theater Support Command Inspector General The Assistance Function

THE PROCESS OF RECEIVING, INQUIRING, INTO, AND RESPONDING TO COMPLAINTS, AND REQUESTS FOR INFORMATION OR HELP THAT ARE PRESENTED OR REFERRED TO AN IG. IGS PROVIDE ASSISTANCE ON AN AREA BASIS SO THAT COMPLAINANTS CAN GO TO THE NEAREST IG FOR HELP.

- Primary function of all IGs
  - Complements inspections and investigations
  - Teaching and training
  - Major portion of the IG workload

A COMPLAINT, ALLEGATION, OR REQUEST FOR HELP PRESENTED OR REFERRED TO AN IG IS CALLED A <u>INSPECTOR GENERAL</u> ACTION REQUEST (IGAR)

Where do IGARs come from?

SOLDIERS DACs FAMILY MEMBERS
RETIREES VETERANS
CONTRACTORS ANONYMOUS
REFERRALS FROM OTHER IGS
THIRD PARTIES LOCAL
Whotadiomalsprovide?

Anyone who seeks help with problems related to the U.S. Army

Encourage use of the Chain of Command first!

RENDER ASSISTANCE
CORRECT INJUSTICES
ELIMINATE CONDITIONS DETRIMENTAL TO THE
EFFICIENCY OR REPUTATION OF THE ARMY
RECORD AND ANALYZE DATA FOR CORRECTIVE ACTION
REPORT ON THE STATUS OF THE COMMAND



- Before you act on a civilian issues...contact the following for advice:
  - The local CPAC/CPOC
  - SJA
  - EEO
  - IG



#### **IG Role In Nonsupport Cases**

- AR 608-99
- Nonsupport is a commander's program
- IG's role:
  - Ensure immediate needs are met
  - Ensure commander is aware and takes appropriate action
  - Follow-up on Complainant's assistance request

14 DAYS



#### EO/IG

The IG is authorized to accept EO/Harassment complaints

#### **HOWEVER**

IGs are not specially trained in EO issues.

The IG inquiry process differs (AR 20-1) from the EO process (AR 600-20) or the IO process (AR 15-6).

IG records can not be used for adverse action unless approved by SecA, USecA, CSA, VCSA, or TIG.



#### **Not IG Appropriate**

- Criminal allegations
- EO complaints (with exception)
- Hazardous work conditions
- Redress available through other channels (review for correct due process)
  - OER/NCOER
  - Report of Survey
  - Relief for cause
  - and many more

**Frequent Assistance Categories** 

- 1. MILITARY PERSONNEL MANAGEMENT
- 2. PERSONAL CONDUCT
- 3. FINANCE AND ACCOUNTING
- 4. COMMAND MANAGEMENT
- 5. CIVILIAN PERSONNEL MANAGEMENT
- 6. HEALTHCARE

#### **Analysis of Assistance**

- Cases
   Nonsupport recent arrivals are likely subjects
  - Leaders must ensure unaccompanied soldiers are thoroughly familiar with family support obligations IAW AR 608-99 upon arrival/in-processing in the unit.
- Mishandling of an individuals Personal Data (SSN) leads to violations of the Privacy Act
  - Always safe guard personal information of individuals. Limit sending personal data over E-mail to "wide spread" distribution addresses. Always mark rosters that contain personal information appropriately.
- A complainant's "Command Management" issue is usually resolved at company level with a clarification of policy

Review policy letters routinely. Ensure new personnel understand command policies. Ensure policy letters are easily accessible to members of the organization.

#### **Analysis of Assistance**

• On-line support channels have decreased Personnel Mgmt and Finance complaints.

Leaders should ensure service members have access to computers to make changes to their personnel and finance issues.

- Unit Level Leaders should be consulting their higher chain of command, legal advisor, Equal Opportunity Advisor, or Inspector General prior to acting on personnel actions that have legal implications.
- Greater emphasis on reception, in-processing, and initial counseling of incoming personnel can reduce personnel issues and keep mission focus.

#### **Final Assistance Notes:**

#### IG Role In Nonsupport Cases (AR 608-99)

- Ensure immediate needs are met
- Ensure commander is aware and takes appropriate action

#### **Civilian IGARs**

- Before you act....ask your local CPAC/CPOC, SJA, EEO, or IG for assistance

#### **EO Complaints**

- The IG is authorized to accept EO/Harassment complaints
- IGs are not specially trained in EO issues.
- The IG inquiry process differs (AR 20-1) from the EO process (AR 600-20) or the IO process (AR 15-6)

IG records can not be used for adverse action unless approved by SecA, USecA, CSA, VCSA, or TIG.

#### Need Assistance?

<u>Service Members</u> should go to their local IG office for Support. The Local IG will work simple assistance cases and forward the chain of command issues to the appropriate IG. If the installation does not have an IG office then call the appropriate IG that provides assistance to that respective Area.

**Leaders** should call their command IG for assistance.

#### **YOUR LOCAL IG**

2ID IG (Area I) 732-8767

8th Army IG (Area II) 723-4006

Fraud, Waste, Abuse 738-STOP

**19th TSC IG (Area III) 753-6136** 

**19th TSC IG (Area IV) 768-7890** 

311st SIG CMD IG 723-4833

**501st MI BDE ACTING IG 723-4387** 

18th MEDCOM IG 737-5083





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#### <u>Investigations</u>

- Investigation A fact finding examination by a detailed IG into allegations, issues, or adverse conditions to provide the directing authority a sound basis for decision and actions. IG investigation normally address allegations or wrongdoing by an individual and are authorized by a written directive.
- IGs can inquire/investigate violations of laws, regulations and policies/directives

Anyone can make an Allegation or IG Complaint

No precondition for coming to the IG



#### 19TH Theater Support Command Inspector General Investigative Inquiry

- Investigative Inquiry :
  - An informal fact finding process to gather information needed to resolve an allegation
  - Can be conducted by an <u>assistant</u> or a <u>detailed</u>
     IG
  - Authorized by a Command or State IG
  - AR 20-1, para 8-1b.(2)
- Witness:
  - Someone whom we believe has some knowledge to support or refute an allegation.
  - May also be a subject matter expert (SME).
  - AR 20-1, para 8-5a

#### IG's Analyze Allegations

**IG Appropriate?** 

Punitive vs Non-Punitive "Criminal" vs "Administrative"

IGs can inquire/investigate violations of laws, regulations and policies/directives.

#### 19TH Theater Support Command Inspector General Common Sources of Allegations

#### Misuse of Government Vehicles

- DOD 4500.36-R, Use of Government Vehicles, 10 April 1985, Chapter 3.
- Domicile to Duty
- Spirit and letter of the law
- Articles 107 (False Official Statement), 121 (Larceny), 132 (Fraud), UCMJ
- PV1 LTC arrested by CID for BAH Fraud
- Perception that it is easy and that "Uncle Sam owe
- Fipipping page (§ID are watching)
- AR **B66**1960, Army Leadership AR 600-20, Army Command Policy Article 134, UCMJ
- Treating subordinates with dignity and respect
- Misuse of personnel (personal gain)
- Verbal abuse (superior to subordinate)
- Indecent language (community standards)
- Cultural conflicts (US ROK)(US-KATUSA)



#### 19TH Theater Support Command Inspector General Common Sources of Allegations Gifts

- DOD 5500-7-R, Joint Ethics Regulation
- Foreign Gifts Know the value of the gift. When giving a gift to a foreign national, ensure you don't violate the SOFA.
- Gifts from subordinates
  - Voluntary
  - Food as a gift (eat it and share)
  - Donate no more than \$10 each
- Retirement and Farewell Gifts
  - Max value of \$300 from a group
- Contact you Ethics Counselor (SJA) for more guidance



## Other things that can get you in trouble

Support of private organizations: Compelling membership in AUSA, NCOA, etc.

Personal Misconduct: Adultery and alcohol (Army definition; not yours), fraternization, inappropriate relationships.

Misuse of Government Funds: IMPAC Purchase Card and Bank of America Travel Card

Homosexual Conduct Policy. Remember <u>Statement</u>, <u>Act</u>, or <u>Marriage</u>. Call legal, before you conduct an inquiry.



#### Prostitution & Human Trafficking Command Policy

# USFK does not support or condone the illegal activities of prostitution and human trafficking

Ensure you have active education and training programs in place to address the issue of illegal prostitution and its links to human trafficking



# What is next after an allegation has been made... Commander's Options:

- Do Nothing
- Rule 303, MCM
- AR 15-6 Investigation
- Article 32
- CID/MPI
- Chain of Command
- Civil Authority
- Inspector General



#### **Mental Health Referrals**

Instructor...stomp your foot!!!

OK...Is everyone awake?

Remember this!

#### <u> Mental Health Referrals</u>

- DOD DIRECTIVE 6490.1
- USFK Reg. 40-216, USFK Form 229-E
  - Prohibits referral of soldiers for mental evaluation as a reprisal
  - Establishes due process rights for nonemergency referrals
    - Written notification to include reason for referral
    - Right to consult with attorney, chaplain or IG
  - IG, DOD investigates violations
  - Call IG or SJA for advice



#### Referral Types

- ✓ Non-emergency (routine)
- Emergency
  - Threatening imminently, by words or actions, to harm himself/others
  - Delay of MHE would further endanger SM or potential victims



#### <u>Commander's Actions Non-emergency</u> <u>MHE</u>

- **✓** Authority to refer: **COMMANDER ONLY**
- ✓ Consults with a mental healthcare provider (MHCP)
- ✓ AT LEAST 2 BUSINESS DAYS IN ADVANCE: provides SM referral memorandum including statement of rights
- ✓ Sends Commander of Medical Treatment Facility or clinic memo requesting MHE



### Commander's Actions Emergency MHES

Commander's first priority is to protect SM and potential victims from harm

- ✓ Prior to referral, try to consult MHCP or other privileged healthcare provider
- ✓ Safely get SM to provider
- ✓ As soon as practical, provide SM a memorandum and statement of rights
- ✓ If unable to consult with MHCP before transporting SM, forward memo to MHCP as soon practical

#### 19TH Theater Support Command Inspector General Service Member's Rights

- **✓** Consult an attorney
- Request an IG investigation
- ✓ Seek second opinion
- ✓ No restrictions to communicate to IG, Member of Congress, attorney, or other person
- ✓ SM must have <u>at least 2 business</u> <u>days</u>, except in emergencies, to consult with an IG, attorney, chaplain, or other appropriate party

#### **Whistleblower Reprisals**

- Title 10, USC, Section 1034 -Whistleblower Protection
- Protected communication to the IG, congress, chain of command, law enforcement
- Unfavorable actions
  - Denial of promotion opportunity
  - Unjustified UCMJ action or transfer
  - Adverse performance evaluation
  - Mental health evaluation
- Burden of proof is on commander to justify action
- IG, DOD investigates allegations



#### The Key Question:

Did the military member make or prepare a communication protected by statute?





#### **Protected Communication**

- ✓ What was the protected communication?
- ✓ To whom was it made?
- √ When was it made?

#### **Protected Communication**

**Any** lawful communications made to:

- Members of Congress
- ✓ Inspectors General
  Note: Communications to
  Congress
  and IGs do not have to disclose
  information concerning
  wrongdoing

#### 19TH Theater Support Command Inspector General Protected Communication

#### **Lawful** communications made to:

- ✓ DoD audit, inspection, investigation, or law enforcement agencies
- ✓ People or organizations <u>designated</u> <u>under component regulations or</u> <u>established administrative</u> <u>procedures</u> to receive such communications



#### **Protected Communication**

#### Protected only if they concern:

- ✓ Violations of law or regulation (includes EO issues)
- ✓ Gross mismanagement
- **✓** Abuse of authority
- ✓ Gross waste of funds or resources
- ✓ Substantial danger to public health or safety



#### **Protected Communication**

#### Protected communications may be:

- ✓ Verbal, written or electronic (telephone, fax, E-mail)
- Communications made by a third party (spouse, relative or co-worker on behalf of complainant)
- ✓ Chain of command communications may include:
  - complaints made during commander's office hours, or as a result of open door policy
  - complaints made in public forum (Commander's Call)

#### **Final Investigation Notes:**

- Anyone can make an Allegation or Complaint
- Remember those common sources of allegations
- MHE (this is not a fork lift)
- Whistleblower Reprisals and Protected Communications





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### **Definition of an Inspection**

"An evaluation which measures performance against a standard and should identify the cause of any deviation. All inspections start with compliance against a standard. Commanders tailor inspections to their needs."

A standard is the way things should be.

AR 1-201, page 5; The Inspection Guide, page

7. paragraph 2-2



#### 19th TSC Regulation 1-201

- Identifies responsibilities and principles
- Defines inspection terms and concepts
- Provides inspection guidance
- Establishes the Organizational Inspection Program(OIP)
- Urges the integration of inspections

### 19TH Theater Support Command Inspector General Inspection Policy

- Follow inspection principles
- Scheduled and tailored
- ID Problems without regard to difficulty
- Fix problems or direct to proper level for resolution
- IG maintains a summary of all inspections
- Spread innovative ideas and teach and train
- Commendable performances are recognized
- All inspections and audits conducted within the unit are encompassed into a single, well coordinated, cohesive OIP

### 19TH Theater Support Command Inspector General Principles of Inspection

**TAILORED** 

**PERFORMANCE ORIENTED** 

MISSION ORIENTED

**PURPOSEFUL** 

**OFFICER IN CHARGE** 

**REALITY CHECK** 

COORDINATED

**CORRECTIVE ACTION** 

**ROOT CAUSES** 

**TEACHING** 

**LESSONS LEARNED** 

STENGTHS/SHORTCOMINGS

**REPORT** 

**FOLLOW-UP PROCEDURES** 

Commander's Program and a Command Responsibility

The OIP provides the commander with an organized management tool to identify, prevent, or eliminate problem area while protecting valuable unit training time

Established from Battalion through TSC command levels

Foundation is the inspection of companies by battalions, battalions by Groups, Groups by the TSC

- Includes 5 components
- Completes and reinforces other evaluations
- Minimizes the duplication of evaluations
- IG advises the Commander, trains local inspectors, and evaluates the effectiveness of the OIP

#### 19TH Theater Support Command Inspector General Components of the OIP

The integration of inspections



AR 1 -201, paragraphs 2 to 3-5

The Inspections Guide , pages 710, paragraphs 2 and 24



- The battalion is the basis building block of the OIP
- The battalion OIP normally includes Command Inspections (Initial and Subsequent) and Staff Inspections
- The battalion OIP focuses on areas that immediately impact on readiness and that reinforce goals and standards
- Teaching and training is a goal of companylevel command inspections



#### **Group OIP**

- The Group OIP normally includes Command Inspections, Staff Inspections, and Staff-Assistance Visits
- The Group OIP focuses on units and functional areas
- At a minimum, the Group OIP will include inspections of the Group headquarters company
- The Group OIP must <u>complement</u> the battalion commanders' programs and avoid redundancy



#### TSC OIP

- The TSC OIP normally includes Command Inspections, Staff Inspections, IG Inspections, Audits and Staff-Assistance Visits
- At a minimum, the TSC OIP will include inspections of the TSC headquarters company and all subordinate Group's OIPs.
- The TSC OIP must <u>complement</u> the Group and Battalion commanders' OIP and avoid redundancy



#### **Developing an OIP**

- S3s designated as the overall OIP coordinator
- Articulate the commander's overall inspection guidance
- Assign responsibilities for command and staff
- Address relevant categories of inspections
- Capture all inspections that affect the command
- Establish the standards and scope for each type inspection
- Explain how to use the local IG to help train soldiers



#### **Command Inspections**

- A scheduled, formal, tailored event
- Commander actively participates
- Includes an in-brief, functional inspections, out-brief, and follow-up
- Two Types:

**Initial Command Inspection** 

- A comprehensive and diagnostic Free Bee

**Subsequent Command Inspection** 

- Measures Commander's progress

# 19TH Theater Support Command Inspector General Initial Command Inspections

- Required for all Commanders
- Within 90 days for the Active Component
- Identifies unit strengths and weaknesses
- Comprehensive
- Included on the training schedule
- Cannot be used to evaluate the Commander
- Helps commanders establish goals, standards, and priorities
- Not used to compare units
- Results go to the inspected unit commander only (IG can get generic results)

The inspecting commander <u>must</u> be present and participating in

the inspection!

#### **Subsequent Command Inspections**

- Conducted Annually
- Measures progress and reinforces goals and objectives established in the Initial Command Inspection
- The inspecting commander determines the scope and format of the Subsequent Command Inspection
- The inspecting commander may use the results of the Subsequent command Inspection to evaluate the inspected commander

The inspecting commander <u>must</u> be present and participating in the inspection!



#### **Staff Inspection**

- Led by a staff member of a functional area
- Focuses on a single functional area or a few related area
- Conducted by the lowest-level staff member technically qualified in the functional area
- Should complement Command and IG Inspections
- Compliance oriented

#### **Inspector General Inspection**

- Inspector General inspections:
- □ Pursue systemic issues
- Identify sub-stand performance, determine the magnitude of the deficiency, and seek the reason for the deficiency (the root causes)
- □ ► Teach systems processes and procedures
- □ Identify responsibility for corrective actions
- □> Spread innovative ideas

**AR 20-1**, Paragraph 6-3, and **AR 1-201**, Paragraph 3-5



#### **Audits**

- Provides information, analyses, appraisals and recommendations
- Three Forms:

Formal,
Follow-up
Quick Reaction

### 19TH Theater Support Command Inspector General External Inspections

- Directed by Higher HQ
   DoD, USFK, DA, Eighth US Army
- ACofS, G3 is initial point of contact for all external inspections and audits.
- ACofS, G3 tasks subordinate units and staff to maintain over watch
- ACofS, G3 will resolve calendar conflicts concerning external

# 19TH Theater Support Command Inspector General Inspector Preparation

- Through understanding of applicable regulations, policies, and SOPs
- First orient on unit policies, then study the next units and so on....
- Use the Root Cause Analysis Model to find the root of a problem
- Use your local Inspector General to assist in inspection preparation



# The Root Cause Analysis Model

**NON-COMPLIANCE** 

**DON'T KNOW** 

**CAN'T COMPLY** 

**WON'T COMPLY** 

NEVER KNEW FORGOT TASK IMPLIED FEW RESOURCES DON'T KNOW HOW IMPOSSIBLE NO REWARD NO PENALTY DISAGREE

The Inspections Guide, pages 24-29, Figure 5, paragraphs 3-16 through 3-22

# DAIG Inspection of the OIP FY 02

#### **Findings:**

- Commanders and staff lack a general understanding of the OIP.
- Initial Command Inspections are not executed within regulatory guidelines (90 days for active component)
- Commanders do not always participate in command inspections.
- Significant Observation: Inspecting Commanders do not provide the inspected commander an assessment of strengths and weakness upon completion nor do they use subsequent command inspection results to measure progress and reinforce goals and standards established during the ICI.

# 19TH Theater Support Command Inspector General DAIG Inspection of the OIP

#### **Findings:**

- Follow up inspection plans to correct deficiencies are frequently not developed, monitored, or conducted.
- Existing inspection programs are tailored and do not complement subordinate commanders' needs
- Leaders and staff are trained to plan and conduct inspections in accordance with Army policy.
- Inspectors General are not used as OIP advisors in accordance with AR 1-201.
- The Army Staff does not conduct an annual review of inspections for which they are the proponent.
- The effectiveness of the OIP is limited due to inconsistent guidance delineating responsibilities for development, coordination, and execution of the program.
- DAIG is currently revising AR 1-201, Army Inspection Policy. Not updated since 1993.



### Final Inspection Notes

The 19th TSC Inspector General is available and best qualified to train staff & unit inspectors in inspection techniques and inspection planning. For training staff, unit, and IG inspectors, the IG uses "The Inspections Guide," published by the Department of Army Inspector General Agency. This guide is available to all inspectors -- including non-IGs. Staff principals and unit commanders should arrange for training directly with the 19th TSC IG.



#### How to Contact Us

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Web Address http://www-

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Inspections

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Need Assistance?

**Teaching** 

<u>Service Members</u> should go to their **Leaders** al IG office for Support. <u>Leaders</u> should call their command IG for assistance.

**Training** 



## IG Points of Contact in Korea

2ID IG (Area I) 732-8767

8th Army IG (Area II) 723-4006

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### **Questions?**

